

Federal Circuit Addresses District Court Oversight of Expert Testimony on Infringement

IP Litigator

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Steuben Foods Inc. (“Steuben”) owns U.S. Patent Nos. 6,209,591 (the “591 Patent”), 6,536,188 (the “188 Patent”), and 6,702,985 (the “985 Patent”), collectively (the “Asserted Patents”). All of the Asserted Patents are related to systems for the aseptic packaging of food products.

Starting in 2010, Steuben filed suit against Shibuya Hoppmann Corp., Shibuya Kogyo Co. Ltd., and HP Hood LLC (collectively, “Shibuya”) for allegedly infringing the Asserted Patents. In 2019, the actions were consolidated and transferred to the District of Delaware.

The district court issued its claim construction order in 2020 and denied cross-motions for summary judgment of noninfringement, infringement, and invalidity in 2021. Prior to trial, the district court denied Shibuya’s motion for JMOL of noninfringement under FRCP 50(a) as to each of the Asserted Patents. Then, after a five-day jury trial, the jury returned a verdict in favor of Steuben, finding that Shibuya infringed the Asserted Patents and that the Asserted Patents were not invalid. The jury awarded Steuben over \$38 million in damages.

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